THE POLITICS OF RESTRICTIVE LANGUAGE POLICIES: A POSTCOLONIAL ANALYSIS OF LANGUAGE AND SCHOOLING

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ABSTRACT The article provides a postcolonial analysis of issues related to culture and language within the context of public education in the U.S. More specifically, the manner in which restrictive policies were implemented over a four-year period within the public schools of Boston, Massachusetts, following the passage of a referendum to repeal the use of transitional bilingual education in favor of a strategy of English immersion, are presented and discussed. This discussion serves as an excellent site of inquiry, in that it mimics many of the same conditions of schooling experienced today by English language learners across the nation.

RESUMEN Las Políticas Restrictivas de Idioma: Un Análisis Postcolonial de Lenguaje y Escolaridad. El artículo ofrece un análisis postcolonial de temas relacionados con la cultura y el idioma en el contexto de la educación pública en los Estados Unidos. Más específicamente, la manera en que se implementaron políticas restrictivas durante un período de cuatro años dentro de las escuelas públicas de Boston, Massachusetts, tras la aprobación de un referéndum para derogar el uso de la educación bilingüe de transición a favor de una estrategia de inmersión en inglés, es presentado y discutido. Esta discusión sirve como un excelente sitio de investigación, en que imita muchas de las mismas condiciones de escolaridad experimentada hoy por aprendices del idioma inglés a través de la nación.

[A]ny meaningful analysis of the post-colonial situation in society requires an interpretation of the historically situated material, political, and cultural circumstances out of which policies of language use are produced.

Themba Moyo (2009)

Inherent in the history of colonization is the use of restrictive language policies to ensure the exclusion of racialized populations from full participation within the economic and political landscape of the nation-state. Hence, understanding the educational barriers of exclusion, along with the academic impact that such language policies produce, is at the heart of this postcolonial analysis. More specifically, we examine the manner in which restrictive language policies were implemented over a four year period within the public schools of Boston, Massachusetts following the passage of Referendum Question 2 in 2002, a mandate to repeal the use of transitional bilingual education in favor of immersion programs.

This story is particularly poignant in that Massachusetts was the first state in the nation to officially enact a transitional bilingual program in 1971, to meet the needs of the state's growing

Spanish-speaking student population. But that was the era of civil rights, when a many educational efforts to address the longstanding historical inequalities faced by children in communities of color were being advocated by civil rights activists everywhere.

Today, however, it seems that previously held goals of educational equality and social concern for the most disenfranchised have fallen by the wayside, displaced by conservative solutions that assert the practicality and superiority of restrictive language policies in schools. Instead, neoliberal priorities have forcefully taken precedence over the goal of equality, despite educational rhetoric about the need to "narrow achievement gaps." Accordingly, business agendas and corporatist approaches prevailed, creating strong pressures for accountability structures and measures that have often trumped sound educational practices. Hence, complex testing schemes bind the work of teaching and learning, while punitive practices tied to high stakes testing create inordinately stressful environments for both students and teachers. This is further exacerbated by privatizing initiatives that invite charter schools to compete with declining public

educational funds. Similarly, accountability practices single out underperforming students and schools, which could result in positive outcomes were material and pedagogical resources mobilized to address the needs, but instead such measures are being enacted precisely at the same time when the capacity of districts and schools to respond to the needs of English language learners has become ever more limited.

Over the last two decades, Massachusetts, as is true across the nation, has experienced a rapid increase in immigration and with it, an increasing enrollment of speakers of languages other than English in its public schools. This phenomenon is now at work in most major urban centers, but also has become increasingly an issue for large suburban and rural areas as well. The underlying cause of this unprecedented demographic shift is unquestionably the result of economic conditions that have given rise to job instabilities, not only in the U.S. but globally. Hence, an examination of restrictive language policies and their implementation within the Boston schools serves as an excellent site of inquiry, in that it mimics

many of the same conditions currently at work in the schooling of English Learners across the nation.

Anchoring our "interpretation [within] the historically material, political, and cultural circumstances out of which policies of language use are produced," as Themba Moya suggests, is particularly salient here, given that the majority of English learners in Boston are from populations whose personal histories are deeply marked by the impact of colonization—Puerto Rico, Dominican Republic, Haiti, and Cape Verde, just to name a few. Hence, our analysis of the politics of language and schooling is enhanced by a postcolonial reading, which provides us the analytical specificities to make sense of restrictive language policies across the larger national landscape, given the impact of these policies to the lives of (post)colonized students from impoverished working class communities.

Our aim is to engage concerns tied to language and inequalities front and center, shattering any illusions that languages others than English in the U.S. are genuinely welcomed and cultivated in public schools. Nothing could be further from the truth.

Even in the light of research that specifically speaks to the cognitive advantages of bilingualism in sharpening intelligence and the capacity to engage more expansively within the world,[1] education in the U.S. has been and continues to be firmly grounded upon chauvinistic traditions of linguistic domination upheld by the colonizers who "culturally invaded," to use Paulo Freire's (1970) words, the Western hemisphere. Hence, just as colonial formations of slavery, land dispossession, and wealth extraction were enacted upon racialized subjects worldwide to ensure dominion, so were restrictive language practices which, in many cases resulted in linguistic genocide and cultural erosion (Darder & Torres, 2004; Skatnubb-Kangas, 2000; Freire & Macedo, 1987).

Furthermore, restrictive language policies can formidably be traced to political economic exigencies of the nation-state, that seek to safeguard control of it's

[1] See*:* *BBC News*, "Research to find effects in brain of bilingualism" reports on the research of Virginia Gathercole at Bangor University who is exploring the benefits of being bilingual. She stated in the article, "The very act of being able to speak, listen, and think in two languages and of using two languages on a daily basis appears to sharpen people's abilities to pay close attention to aspects of tasks relevant to good performance."

working populations, in order to ensure the quasi-stability of it's ever increasing low-wage service sector—a labor market that requires a growing sector to be minimally educated. In fact, Jean Anyon (2005) asserts that "most jobs openings in the next ten years will not require either sophisticated skills or a college degree. Seventy-five percent of new and projected jobs will be low paying. Most will require on-the-job training only, and will not require college; most will be in service and retail, where poverty zone wages are the norm (370)." Simultaneously, more and more manufacturing and technical jobs continue to be outsourced to cheap centers of a now global workforce, increasing competition for access to the shrinking elite workforce of the knowledge economy, which is simply unable to absorb the growing population of U.S. workers—the largest number now coming from historically racialized communities.

This infusion of material conditions is significant to our analysis, in that, generally speaking, many advocates for bilingual education programs over the years have discussed questions of language and schooling in culturally provincial or romanticized

terms, without linking the imperatives of culture, language and identity to questions of collective sustainability, social agency, and class struggle. This is to say, that there has been a failure to consider the education of English-learners and their language rights with greater analytical depth, despite the manner in which workers are positioned within the U.S. political economy. Yet, only through such discussions can we begin to get at the core assumptions at work in the construction of educational language policies that impede the academic success of English-learners in U.S. schools—who, contrary to public opinion, are overwhelmingly U.S. citizens and not exclusively undocumented immigrants, as the media and nativists would have us believe. Hence, we argue that current restrictive language policies for English-language learners must be critically interrogated in relationship to not only high school dropout rates, poor academic performance, or college attrition rates, but also the long-term consequences associated with lack of educational attainment. Typically, these consequences include housing segregation and labor

(non)participation patterns, rising incarceration rates, and growing conditions of poverty—all intimately linked to the social arrangements responsible for the reproduction of racism and gross class inequalities.

Inseparability of Racism and Class Inequalities

Racism as an inherently political strategy of exclusion, domination, and exploitation cannot be extricated from its economic imperative, whether discussing questions of academic achievement or larger concerns tied to labor opportunities. Segregation, for example, as an outcome of racialization and class reproduction is firmly entrenched within the wider systematic necessity of a capitalist mode of production—which supports policies and practices within schools and the labor market that sustain the skewed economic interests of capital.

As such, inequalities resulting from restrictive language policies generally operate in sync with structures that perpetuate school segregation. Studies conducted in the last decade by the Civil Rights Project (Orfield, 1999, 2001; Orfield & Lee, 2007) found that although "progress toward school desegregation peaked in the late 1980s, as the court concluded that

the goals of *Brown v Board of Education* had been largely achieved, 15 years later the trend has moved in the opposite direction" (Orfield, 1999). Questions of segregation, therefore, still remain salient factors, particularly for working class Latino populations—now dubbed "the new face of segregation"—given that Latino students find themselves even more segregated today than their African America counterparts. This increase in Latino segregation has been particularly marked in western states, where more than 80 percent of Latinos students attend segregated schools, compared with 42% in 1968 (Dobbs, 2004). In the northeast, 78 percent of Latino students attend schools with over 50 percent minority student population, and 46 percent attend schools with over 90 percent minority population (Orfield, 1999). Similar patterns are quickly emerging in the south, where Latino population increases have been reported to exceed 300 percent in North Carolina, Arkansas, Georgia and Tennessee. Thus, it should not be surprising to learn that 90 percent of neighborhood schools where English-language learners and children of color—most who are, in fact, citizens—attend are all

located in areas of concentrated poverty. Moreover, students of color who are English-language learners are 11 times more likely to live in areas of concentrated poverty, than students of all ethnicities who attend predominantly "white" schools.

Unfortunately, socioeconomic conditions that are clear producers of gross racialized inequalities, such as lack of job security; insufficient income(s) to care for one's family; dwindling youth employment; the demise of "middle class" union jobs; lack of health care; expanding poverty; and increasing incarceration of working class man and women of color are seldom raised as key factors in discussions of language and schooling. Yet, such conditions of political and economic disenfranchisement insure greater incidence of residential segregation, as well, which has been found to be a significant factor in the English language development of children from language minority communities. This is so, in that English learners, who are taught exclusively within English-only classrooms, are more likely to struggle with a home-school linguistic transition process that expects them to isolate and compartmentalize their language usage in

ways that have been found to disrupt not only English language development, but academic achievement patterns (Genesee, 2006; Cummins 2000; Crawford, 2000, Valenzuela, 1999). Consequently, recent reports belie notions that sheltered English instruction will radically improve student performance. In fact, studies show no considerable improvement in rates of English acquisition (Thomas & Collier, 2002). Moreover, what cannot be overlooked here is the loss of bilingual programs, which once afforded English language learners the opportunity to study academic content in their primary language, while learning English (Genesse (2006); Suarez-Orozco & Suarez-Orozco, 2001; Portes, 2001; Tollefson, 2004; Cummins, 2000; Skatnubb-Kangas, 2000).

Complaints of cost have also been used by conservative forces to rally popular support against appropriate bilingual education programs for English language learners. Yet, absent from these discussion are the trillions of dollars being poured yearly into military spending, while public welfare concerns are redefined by neoliberal interests in ways that essentially abdicate the State of its responsibility to

adequately educate all children attending U.S. schools, including English-learners. Instead, a sink-or-swim philosophy tied to the ethos of free market enterprise has overwhelmingly penetrated the policy-making arena of educational language policies. As such, one-year English immersion programs have become the preferred mainstream intervention, despite overwhelming evidence collected over the last four decades that challenges the folly of an expedited English-only approach and exposes the negative academic consequences to the academic formation of English-learners, safe for the small number who succeed and are then paraded as the exception of racialized populations stereotypically perceived as less intelligent, less communicative, and less psychologically able to contend with mainstream expectations of schooling (Darder & Torres 2004).

Here, we want to note that although state laws may call for only a one-year immersion program for language support, most English language learners must remain in these programs a longer period of time. This is not surprising, in that studies consistently indicate that students require six years to

learn English proficiently, even under conditions that provide them "cognitively complex curricula that develop thinking skills, through both their first and second languages" (Collier & Thomas, 2010). However, both the use of English immersion strategies and the overwhelming intent of districts to mainstream these students quickly leads to conditions where English learners are not offered sufficient subject content in neither their mother tongue or English, yet, are expected to perform adequately on tests that do not account for these debilitating academic conditions.

Even more disconcerting is the lack of adequate training and preparation that mainstream educators, including school psychologists, receive in both the area of appropriate teaching strategies and language assessment protocols for English language learners. This, unfortunately, perpetuates false beliefs—again, despite research to the contrary—that teachers and allied personnel do not require any additional preparation to teach or assess English-language learners, given that innately "intelligent" children will surely excel no matter what type of educational program is offered them. Such fallacious conservative

arguments allow school districts, if they chose, to relinquish any responsibility to provide professional development to mainstream educators, who are inexperienced in teaching or assessing English language learners. One of the most striking consequences of this lack of knowledge is the statistically significant number of English language learners, compared to their English proficient counterparts, who are referred to Special Education programs for questionable intelligence, communicative disorders, and developmental delays (English Language Learners Sub-Committee, 2009). Of course, given restrictive language policies implemented in most school districts and the lack of preparation in teacher education programs, classroom teachers alone cannot be held responsible for this unfortunate institutional deficiency.

All this said, it is striking that in the last two decades, as well-paying jobs in the U.S. began to disappear in the wake of the globalizing agenda of neoliberal interests and its shock doctrine economics, exclusionary restrictive language policies, along with mean-spirited anti-immigrant debates have surged. As

a consequence, deep racialized resentments have been generated by job scarcity and subsequent competition across working class and immigrant populations. Moreover, this misdirected resentment has not only been capitalized on by conservative forces to garner support from English-speaking working class populations for English-only policies, but also to confuse parents of English-language learners into believing that English-only instruction is in the best interest of their children. Even more disturbing is the manner in which victim-blaming rhetoric, aimed at English-language learners and other students from racialized communities who fail to succeed in public schools, has been repeatedly used to obscure the deepening structures of economic inequality, inherent in U.S. capitalism.

Contradictory class-based attitudes are widespread, with respect to bilingualism in the U.S. For example, while elite private schools place an increasing emphasis on the development of bilingual language skills for "global citizenship" and wealthy transnational corporations send high ranking employees to Latin America, China or other countries

to learn a second languages so they can compete more readily within the global market place, English language learners in U.S. public schools—who most readily could develop bilingual skills—are being forced into English-only programs. Similarly, affluent public schools offer gifted language programs in Spanish, French, or Chinese, while these opportunities are almost non-existent in low-income schools, where most English language learners attend and where little effort is placed on expanding knowledge of their primary languages. Access to genuine bilingual development and the cultural and global advantages it affords is only a prerogative of students from affluent classes. In the process, racism and class inequalities fully converge in contradictory ways to perpetuate linguistic racialization.

The Process of Linguistic Racialization

In light of a colonial history of language imposition, a postcolonial lens is useful in forging an analysis of restrictive language policies and their impact on English language learners, in that it historicizes conditions of language loss beyond that of individual choice or the practical inducement of

English for academic and labor success. Views of language as "purely mechanical devises" (Nieto, 2007) or solely signifiers of national allegiance can be de-centered, as we engage with the powerful reality that language, political power, and economics are all inextricably tied to the ideological formations of the nation-state and, as such, language functions as a fundamental human resource for the construction of meaning and the establishment of relationships within both the private and public sphere. "In fact, the human being cannot exist without communicating; eliminating the possibility of communication from the human spirit entails removing its humanity" (Nieto, 2007).

This is precisely the experience of many English language learners when they enter a classroom where the supremacy of English renders them voiceless in a foreign sound system and cultural milieu that does not afford them a place for neither self-expression nor self-determination. And often, even when these students learn English, stereotypical perceptions of deficiency persist, which deny them meaningful opportunities to participate that English proficient students readily

enjoy in the process of their learning, considered critical to effective academic formation. Without these opportunities, the ability of English language learners to succeed in school is overwhelmingly compromised, as they struggle not only to learn the grade-level content, but also grapple with traversing limited language comprehension, in a context that affords them little, if any, language support (Freire & Macedo 1987; Darder, 2011, 2002; Valenzuela, 1999).

As a consequence, English language learners, who enter the classroom with a primary language other than English, as mentioned earlier, are often (mis)assessed too quickly as intellectually deficient or developmentally delayed, as a consequence of assessment measures that do not take into account the dissonance experienced by otherwise intellectually capable children entering into a new language context. Unfortunately, the linguistic forms of racialization at work in the schooling of English language learners, or what Angela Valenzuela (1999) terms "subtractive schooling," disrupts the ability of both educators and policy makers to see beyond their shrouded projections of inferiority—a phenomenon that stifles

the ability to recognize, assess, and employ the strengths and capacities these students already possess.

Thus, unexamined racialized perceptions of English language learners often, unwittingly, render teachers blind to those cognitive resources that would normally provide the logical foundation for the new linguistic experience of learning English. Accordingly, the inability of mainstream teachers to engage the knowledge and skills that English language learners bring to the classroom is a key barrier to academic success; as is the absence of the primary language as the medium of instruction, which discourages not only the use of minority languages in the U.S., but also disrupts the successful academic formation of marginalized students, who are further rendered vulnerable by restrictive language policies and practices.

In many ways, we can understand the task at hand, even today, to be one which requires us to decolonize our minds from debilitating beliefs that persistently racialize English language learners, quickly judging them in need of remediation, yet

unworthy of the expenditure of additional resources. In the logic of Race to the Top (RTT) and its predecessor, No Child Left Behind (NCLB), the goal of education is to create the global competitive edge that can ensure domination of the world's political economy—at the expense of children from the most vulnerable populations. As such, expenditures of educational resources are liberally being directed toward science, technology, engineering, and mathematics (STEM) in the government's frenzied attempt to meet its overarching goal. In the world of high-stakes accountability, STEM initiatives are pronounced the grand scheme for progress and global supremacy, while questions of democratic life have almost entirely been eclipsed.

In accordance, linguistic racialization here is implicated as part of a larger and more complex system of economic and political oppression that positions English language learners and their families as disposable, second-class citizens (Darder & Torres, 2004). This encompasses a process of racialization that often distorts the ability to see working class minority language communities in the U.S. as worthy

of full educational rights. The consequence is the perpetuation of a culture of failure and educational neglect that relegates these communities to a politically invisible nether land—aided by the politics of the labor market, ill-representations of the media, and the increasing incarceration of poor working class men and women of color (Gilmore, 2006).

Linguistic racialization within schools is further exacerbated by what Phillipson (2002) argues are the deleterious socio-economic and cultural effects of the colonial language and the failure of elected leaders to implement a consistently democratic language policy. Indifference to the negative consequences of English-only instruction is particularly debilitating for working class students who enter school as predominantly Spanish-speakers. Unfortunately, as already discussed earlier, the failure of schools to engage the material conditions that these students and their families navigate daily circumvents accurate assessment and the development of public language policies and educational practices to support their effective academic development. And, despite the fact that Latino students can comprise from 50 – 90% of the

total student population in many districts, there has been a stubborn unwillingness to critically engage the manner in which the language needs of these children may differ. This is often reflected in the manner in which educators are trained to understand and thus, contend, if at all, with the needs of Spanish-speaking children as only individuals, rather than within a larger collective history of colonization, often taking place *within* their own lands. This is particularly the case for Puerto Ricans in the northeast and Chicanos in the Southwest, both groups whose racialized histories are indelibly fused with the African Diaspora and indigenous populations, through processes often referred to as "miscegenation" and "mestizaje" (Anzaldua, 1987; Rodriguez 2000; Valle and Torres 2000)

Central to this history is a Spanish-speaking population that overwhelmingly comprises the largest minority group in the U.S. Los Angeles, for example, is second only to Mexico City as the city with the largest number of Spanish speakers. Other large Spanish-speaking populations are found in cities like New York, Miami and Chicago, with Boston's Latino population

having grown swiftly in the last two decades. This is to argue that the educational needs and politics of language conservation in these instances warrant greater collective reconsideration and community participation, given that "Spanish speakers represent 75% of the nation's English learners" (Collier & Thomas, 2010) and in Boston, a full 25% of the student population is now considered English-learners (Uriarte, et. al. 2010).

Yet, whenever there are efforts to engage more substantively with the significance of this phenomenon in the schooling of English learners, policy makers and district officials quickly retort that there are over 100 languages spoken in many of these districts and how can teachers be expected to realistically meet the language needs of all these children. Rather than simply devolve into classically individualistic views of English-learners students or essentialize all English learners into one neat population, it is imperative that the larger communal questions tied to language conservation and dual-language issues be recognized as quite a different affair, when considering the language needs of children who reside within very

large language communities which existed in North America, even prior to the official establishment of the U.S. as a nation-state.

Hence, theories and assessment of language needs, as well as educational policy considerations tied to language of instruction must contend with this significant linguistic history, along with its pedagogical meaning for cultivating community empowerment and democratic participation—both processes which are, unfortunately, at odds with powerful nativists interests in the U.S. today. As a consequence, mean-spirited public debates have ensued, resulting in two decades of initiatives and referendums that have simultaneously worked to eliminate language rights, immigrant rights, and worker rights in States like California and Arizona. As would be expected, these political debates have led to increased policing of the U.S. – Mexico border, arguments against "political correctness," and a politically disabling national culture that seems to have lost its former ties to the long held democratic principle of social justice for all.

Nativist Preoccupations

We have argued here that educational language issues associated with English learners must be understood within historical and material conditions that inextricably link racism and class inequalities in powerful ways. Yet, this view, now more than ever, has become contentious ground, in that it goes countercurrent to both conservative and neoliberal ideologies that support English-only policies, individual rights over collective rights, exclusive nation-state allegiance, unified national identity, and schools as economic engines for the advancement of the U.S. free market economy—all touted as the only guarantee for the progress and prosperity of the nation.

These, of course, are at the heart of the many arguments launched against bilingual education and, most recently, against ethnic studies high school programs in Arizona, where the state passed legislation opposing courses which focused on teaching the history of U.S. minority groups.

Proponents of such policies claim that programs such as bilingual education and ethnic studies promote divisiveness and weaken the fabric of national identity.

In concert with colonial roots, there has been a long history of nativist attitudes, policies and practices in the U.S. In the late 1700s, refugees from France and Ireland prompted the passage of the *Alien and Sedition Acts*. Then again in the mid-1800s, another wave of immigration from Europe caused contentious political debate. In the early 1900s, debates against Chinese workers intensified and led to the passage of the *Chinese Exclusion Act.* Then the *Gentlemen's Agreement* aimed at controlling Japanese populations.

During much of the 20th century, schools in the southwest were driven by a strong assimilative Americanization curriculum that segregated Mexican children, with the expressed intent to civilize them to an American identity (Sanchez, 1951). In the civil rights era, many efforts were launched to ameliorate the impact of racialization processes at work in the schooling of African American and other children of color. The political and legal challenges to racism in U.S. schools ultimately led to the successful ruling in

Brown vs. Board of Education, which opened the door for a multitude of educational efforts, giving rise to both the multicultural education and bilingual education movements.

In the last two decade, many of the gains of the civil rights era have been successfully eroded by nativist forces. A strong conservative wave in California led to the successful passage of anti-immigrant (Proposition 209) and anti-bilingual (Proposition 227) initiatives in the state. These conservative campaigns led to the dismantling of the *Lau vs. Nichols* decision, which guaranteed the rights of bilingual children to be educated in their primary language. Following the 1998 passage of Proposition 227 (or "English for the Children") in California, Arizona immediately followed suit. Then in 2002, the voters of Massachusetts overwhelmingly approved Question 2, a similar initiative that ended transitional bilingual education for English learners. In each of these cases, bilingual programs which utilized the primary language as the medium of instruction were replaced by one year of sheltered English instruction.

As a consequence, educational issues rooted in the cultural and linguistic needs of minority language students now find little room for discussion, leaving minority language rights advocates to weather serious political attacks. In the process, conservative anti-immigrant supporters seek to extinguish the strength and vitality of Spanish-speaking communities. The growing Spanish-speaking immigrant population, in particular, along with their culture and language are deemed a threat to the integrity of the nation.

These xenophobic attitudes expressed by the English-only movement are also heard in the vociferous anti-immigrant attacks of the newly formed ultra-right, populist Tea Party and the nativist discourse of many conservative public intellectuals, political figures, and media broadcasters. Bilingual education, ethnic studies, and, especially, Latino immigration are all blamed for not only a crisis in national identity and the economic decline, but a growing national security risk, which they insist is leading the nation into insurmountable political and economic turmoil.

From the standpoint of nativists groups, anti-immigrant sentiments and English-only proposals are justified on the grounds that Spanish-speaking immigrant are an expense to the government; isolate within their own communities; refuse to learn English; steal away jobs from native citizens; disrupt patriotic ideals; cause a burden upon social services; overpopulate; and are a growing threat to the stability of "American culture." These claims underscore fierce opposition to bilingualism in schools, ignoring the truth that most English language learners are either legal residents or American citizens.

Moreover, despite that fact that English is clearly the top contending hegemonic language of globalization, nativist organizations such as U.S. English "believe that English is threatened by other languages in the U.S., mainly Spanish. This organization advocated for the implementation of different language policies to secure that English is threatened no more as the common language in the United State" (Nieto, 2009, 236).

Accordingly, Nativists often scapegoat Latino populations (immigrant or not) and are content to

sacrifice the language needs of Spanish-speaking children, in order to conserve the economic and political interests of elites who have consistently bankrolled both anti-immigrant and anti-bilingual campaigns across the country (Gandera, 2000; Crawford 1992). Hence, restrictive language policies in public schools are clearly marked by a larger set of conservative and neoliberal objectives associated with protecting White-Anglo-Saxon Protestant dominance, in which the supremacy of English has become a significant political battleground. Stephan May and Nancy Hornberger (2008) argue that "such policies and educational practices are always situated in relation to wider issues of power, access, opportunity, inequality, and, at times discrimination and disadvantage (v)."

Impact of Restrictive Language Policies on English Learners: A Boston Study

As might be expected, political goals tied to the conservation of English as the official language of schooling for all children in the U.S. has seldom reaped positive consequences for language minority children and their communities, who are forced to navigate the negative outcomes of English immersion

strategies. Such strategies forsake the linguistic strength of the primary language, and in its place resurrect former assimilative assumptions and practices of the pre-civil rights era, namely "that children learn English best by being immersed in an English-only classroom environment" (Uriarte et. al, 2010). Yet, despite little empirical evidence to support this contention, many school districts across the country have switched in the last decade from more comprehensive bilingual approaches to the use of sheltered English immersion programs as the preferred mode of language support.

At this juncture, it is worth noting that a variety of leading language researchers in the field, including James Crawford (2004), Jim Cummins (2000), Wayne Thomas and Virginia Collier (2002), and Stephen Krashen (2003) argue that the mainstreaming of English language learners into English-only classrooms blatantly disregards on-going research that repeatedly illustrates the importance of an additive approach, rather than one that subtracts the students' primary language from their academic learning

experience. Moreover, an English immersion mandate is generally based upon purely instrumentalized and fragmented notions of language, divorced of language as a human right and the significance of culture, identity, and community interaction to the effective development of both the first and second language (Skattnub-Kangas, 2000).

Rather than accelerate English acquisition, the subtraction of native language development deprives children of the numerous benefits conferred by bilingualism. While affirming the importance of English language acquisition, most recent studies on effective models of immigrant adaptation point to the importance of children retaining the ability to function in their original culture, even as they attain a new one. Portes and Rumbaut (2001) refer to this ability to manage both cultures as "selective acculturation," the most advantageous way for children to undergo an adaptive integration into the new context.

In this framework, children are typically fluent in both languages, minimizing intergenerational conflict and preserving parental rights over their children.

"Dissonant acculturation" emerges when there is a loss or a rupture with the culture of origin, including limited bilingualism or the loss of the primary language, thereby rupturing family ties and causing inter-generational conflict (Portes & Rumbaut, 2001, pp. 52, 145). This process has been positively associated with all significant indicators of high school academic performance—including math and reading levels, as well as over-all grade point average (Portes and Rumbaut, 2001).

This knowledge, however, did not make much of a difference as the "English for the Children" campaign, liberally financed by California's conservative businessman Ron Unz, made its way through the Massachusetts electorate in the Fall of 2002. Similar referenda sponsored by the right-wing organization U.S. English Only had been successful in California (Proposition 227 in 1998) and in Arizona (Proposition 203 in 2000).

Following this lead, Massachusetts's Question 2 was passed overwhelmingly by 68% of the voters. The referendum, similar to its predecessors, stipulated that

"with limited exceptions, all public school children must be taught English by being taught all subjects in English and being placed in English language classrooms," replacing both transitional and maintenance bilingual programs that had been available to English language learners with sheltered English immersion programs.[2]

The Context of Language Restrictive Policies in Massachusetts

Unlikely as it may seem, the roots of this dramatic change were actually not too far under the surface. For one, the 1971 legislative mandate for bilingual education resulted from the lack of implementation of the 1967 Bilingual Education Amendment to Title VII of the Elementary and Secondary Education Act of 1965, which instituted federal commitment to the implementation of bilingual education. By 1970, little headway had been made in the establishment of bilingual programs. In Boston, for example, despite documentation of the lack of matriculation of Puerto

[2] Following the protest of parents and education advocates, two-way bilingual programs were retained.

Rican children[3], the Boston Public Schools insisted that there was no evidence of need. This forced the community to prove a need existed. And this, the community did, obligating the School Committee to begin funding limited bilingual programs, until 1971, when the state legislature finally mandated bilingual programs for all English language learners and assigned community organizations the responsibility for their implementation.

It was the Latino community's direct participation in the education of their children that led to a strong preference for maintenance bilingual education. With this model, students were assisted to maintain and develop in the capacity to use their first language, even as they acquired English as a second. However, there was strong resistance at that time to the implementation of maintenance programs by those

[3] Hubie Jones, then Director of the Roxbury Multiservice Center and Chairperson of the Task Force of Children Out of School, years later would explain that in The Way We Go to School, a 1969 report of children not in school, "we estimated that there may have been 10,000 kids not attending school who had a right to do so because of the exclusionary policies and practices, primarily practices, of the school system. The largest group of those people that we estimated were Latinos." At that time, the vast majority of Latinos in Boston were Puerto Rican.

who advocated for immersion, as a recipe for quick assimilation for the city's new (im)migrants.

Transitional bilingual education, as legislated in 1971, represented a compromise between these two poles—and, as a likely result, neither side was satisfied with the outcome, as Latino parents and community leaders continued to advocate for more comprehensive bilingual programs, while conservative proponents of immersion pushed in the opposite direction. Nevertheless, school districts developed a wide array of approaches ranging from programs which emphasized the use of the native language to those which minimized it. Moreover, as new immigrant groups arrived, new language programs were offered.

For thirty years this remained Massachusetts' framework for the implementation of bilingual education; however, throughout most of this period, bilingual programs largely languished. For example, in Boston with the largest number of English Language Learners, the well-documented process of desegregation of the Boston Public Schools coincided and largely submerged the implementation of bilingual

programs. Nevertheless, parents organized in the Master Parent Advisory Council (MasterPAC) were arduous advocates for district bilingual accountability. They negotiated a voluntary Lau Compliance Plan with the Boston School Committee in 1979, to comply with the US Office of Civil Rights' Lau Remedies, which followed the Supreme Court's ruling in *Lau v. Nichols* in 1974 (Boston Public Schools, 1999, p. 14), and then amended this plan in 1981, 1985, and 1992.

Parents also sued the district successfully to obtain equitable services for bilingual students (Boston Public Schools, 1999, p. 13). This consistently strong advocacy on the part of parents was the vane of superintendents, leading one to complain that the district was nurturing the organization of parents so that they could, in turn, sue the district (Tung et al, 2009).

Two additional factors greatly influenced the outcome of this story. The first is the state's shift to a high stakes environment, as part of the implementation of its 1993 Educational Reform

initiative. At the onset, this broad initiative increased spending in education and distributed funding more equitably between urban and suburban districts, offering new resources to the education of language minority students. The initiative proposed higher standards for all students and schools and new curriculum standards and requirements in core academic areas, which were to guide the development of local curricula, increase time-on-task for students, and tighten standards for new teacher certification and teacher education, as well as retraining established teachers, including special training in multicultural education and teaching strategies for English language learners.

This all seemed a welcome step toward alleviating the devastating results of the cultural clash between minority students and the mostly white teaching force. The reform also introduced measures to hold districts accountable for identifying students, schools, and districts in need of assistance, in an effort to guarantee improved school performance.

Alongside, multiple measures of student achievement were to be integrated into the process of aligning local curricula to the statewide "frameworks," as a way of establishing student competence in those areas. (Uriarte, 2002)

No group stood to gain more from these proposed changes than Latinos, whose children had the lowest levels of achievement of any group in the Commonwealth.[4] Latino enrollment in the state's public schools, which had been growing for three decades, had skyrocketed, particularly, in urban districts. At the time, more than 66,000 Latino children were enrolled in Massachusetts schools, a 20 percent increase in just five years.

In Boston, for example, 20 percent of the students were Latinos, and in the suburbs of Lawrence and Holyoke, they made up almost 70 percent of students enrolled (MDOE, 1992). As far back as 1976, reports by Latino community agencies and state Task Forces

[4] See Hispanic Office of Planning and Evaluation (1978), for attendance, drop out and retention rates in the late 1970's; Wheelock (1990) for drop out and truancy rates through the 1980's; Uriarte and Chavez (2000) for drop-out rates through the 1990's.

pointed to high grade retention and high school drop out rates. In 1986, the Education Task Force of the Massachusetts Commission on Hispanic Affairs, a commission sponsored by the Massachusetts legislature, concluded that "the Massachusetts public education system is failing to carry out its mission and its responsibility to the Hispanic community" (Massachusetts Commission on Hispanic Affairs, 1986, p. 5). In the opinion of the Task Force, this was due to underfunding of school systems where Latino students predominated, as well as the absence of culturally sensitive curricula and classroom practices.

In 1989 and 1990, protests reached a crescendo in a series of contentious meetings with the leadership of the Boston Public Schools, when it was reported that the annual Latino dropout rate had reached 30 percent in some Boston high schools, forcing the city to recognize its failure in educating Latino students.[5] Hence, when the Massachusetts legislature passed the Educational Reform Law in 1993, many Latinos supported the initiative.

[5] Boston Public Schools (1989 and 1989a) and Ribadeniera, 1989, p.45

But conditions changed swiftly as the political leadership of the state moved to the right. Under great pressure from the business sector, the composition of the State Board of Education changed, as did the orientation of the reforms. Most notable and controversial was the Board's decision to adopt a series of standardized tests, administered in several grades as the primary measure of student achievement; and to require that students pass the 10th grade version of the standardized test, in order to graduate from high school. With the Massachusetts Comprehensive Assessment System (MCAS), Massachusetts began the implementation of high stakes testing as the sole measure for graduation.[6]

The implementation of this 10th grade graduation requirement had a devastating effect on the graduation rate of Latino students. In the first two years of its implementation, more than half of Latino 10th graders taking the Math and English Language Arts (ELA) tests failed one or both exams, and therefore did not

[6] For a full description of the initial impact of high stakes testing on Latino students see Uriarte, 2002 and Uriarte and Chavez, 2000

graduate from high school (Uriarte and Lavan, 2006). In cities like Lawrence and Holyoke, the failure rates reached more than 70%. By 2008, 23% of Latino students were still failing either in Math, ELA or both and therefore did not graduate from high school (Uriarte and Agusti, 2009). Although this appears to show improvement, the data is called into question by a high drop-out rate among Latino students, a rate that has remain almost 30% for more than a decade. Hence, those students taking the MCAS test in grade 10, excludes the most vulnerable Latino students, most who now drop out prior to the 10th grade. Consequently, high drop out rates and the high stakes environment has resulted in Latinos attaining the lowest graduation rates in the state. This consistent failure by schools to deliver a minimum level of education has had devastating effects on the lives of Latino students and on their communities.

The context for the shift in the focus of the state's educational reform is in concert with the earlier analysis of recent transformations in the political economy of public education in the U.S. The

competitive advantage of Massachusetts, vis a vis other states, centers on the education of its workforce as the state reinvents its economic base to stay at the forefront of innovation. Massachusetts, the "poster child" of the knowledge economy with its plethora of high ranking educational institutions, has an economy that is in its fourth transformation since the 1950's—from manufacturing to high technology manufacturing, to software and finance, to biotechnology and life sciences—with each change requiring a workforce with higher levels of education. But, these industries represent a growing, but limited number of jobs.

Supporting this economy is a vast array of service employment, with less stringent educational requirements (although in Massachusetts, some service employment still demand a significant level of education) and increasingly becoming a niche for Black, Latino and immigrant workers (Sum, et al 2006 and Borges-Méndez et al, 2008). As would be expected, Latinos because of their poor level of

educational attainment do not fare well in this economy.

Among all groups, Latinos have the highest proportion of its population working in the service sector, with 52% of Latinos employed in service occupations compared to 40% of the general population. Moreover, Latinos occupy the lower-wage niches of this sector; and, although their participation in the labor force is high (many working more than one job), the median income of Latino households is only 48% of that of the general population, in addition to having the highest poverty rate of all groups in Massachusetts (Borges-Mendez, et al, 2006 and Uriarte et al 2006).

Meanwhile, the state remains committed to its neoliberal reform agenda, in great measure because in the eyes of most educational policy leaders, the strategy of high standards and strong accountability is considered a success, given that Massachusetts has shown the highest performance of all states for National Assessment of Educational Progress (NAEP), for close to a decade. What is not so readily disclosed

is that Massachusetts also ranks among the five states with the widest "gap" in achievement between white and Latino students in both NAEP Math and Reading (NAEP, n.d.).

This achievement gap particularly affects students from racialized working class communities but, according to a 2010 report from the Massachusetts Board of Elementary and Secondary Education's Proficiency Gap Task Force, the widest gap is between English Language Learners and English proficient students (Proficiency Gap Task Force, 2010).

The other factor that influenced the success of the referendum was the reemergence of anti-immigrants sentiments in the state. Although Massachusetts does not have an immigrant population that is comparable to that of southern or western states, there had been rapid growth of the immigrant population in the previous three decades and a not so subtle change in the origin of these immigrants. Historically, Massachusetts had been a port of entry for immigrants from Canada and Europe and the state is home to

large populations of French Canadians, Portuguese, Irish, Italians and Greeks.

At the start of the 20th Century, about 30% of the population of the state was foreign born, a proportion that declined steadily until it reached less than 9% in 1970. But between 1970 and 2000, the immigrant population in the state began to rise again, reaching almost 13%. By 2000, the composition of immigrants had changed and instead of the largely Canadian and European stock of the earlier era, 65% of the state's foreign born hailed from Latin America (30%), Asia (25%), and Africa (7%) (Sum and Fogg, 1999).

Despite these changes, the state continued to support social programs for immigrants, even in light of federal restrictions by the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). However, anti-immigrant sentiments flared following September 11, radically shifting attitudes in the state. Researchers who polled voters during the November 2002 election concluded that the approval of the referendum against bilingual education

reflected a reemergence of negative attitudes toward immigrants, due to their increasing population.

Capetillo-Ponce and Kramer (2006) also found a general lack of information among voters about bilingual education and the implications of the proposed changes. Furthermore, in the absence of objective information, voters were easily swayed by other factors. Looming large among these was the belief that high levels of immigration were tolerable only as long as "the newcomers pay their own way, don't get special breaks (such as bilingual education), and assimilate at a relatively rapid rate" (p. 17). Such nativist arguments anchored in traditional assimilationist notions and bolstered by neoliberal imperatives led Massachusetts' voters to undo 30 years of educational practice, radically changing the educational conditions of English language learners across the state.

Conclusion

The Massachusetts case well illustrates and echoes, through an examination of the historical

context and discussion of empirical data, the most salient points of the preceding theoretical analysis. One significant question that remains, of course, is in what ways will parents of English language learners and their communities grapple with the negative impact of restrictive language policies upon their children, particularly with respect to questions of democratic participation and their efforts to transform the negative material conditions which shape their lives.

This is a particularly salient point, given that Latinos, for example, despite their huge numbers in many regions, still contend with political invisibility and lack of decision-making power within mainstream educational institutions.

Yet despite the problems at work in Boston, what cannot be overlooked is that it was principally Latino parents and community leaders who historically placed pressure upon the Boston school district and the state of Massachusetts to be responsive to the needs of their children; and it was parents and community advocates who demanded transparency in

assessing the effects of the implementation of the restrictive language policies mandated by Question 2. As such, the social agency enacted by Latino parents and community leaders was directly responsible for challenging violations to the educational rights of their children and with that, review of Boston schools by both the Department of Justice and the Department of Education's Office for Civil Rights.

There is no question, however, that "for many Latinos in Massachusetts, the vote on Question 2 was probably an uneasy introduction to the American political system, especially if they understood the vote for English-only as an assault on their language and parental rights (Capetillo-Ponce, 2003). Hence, all this speaks to the need for greater consolidation of community strength and the importance of cultivating greater knowledge of educational institutions and the political processes tied to policy decisions that impact the schooling of language minority children.

We know that in Boston as in other parts of the nation, community political efforts that utilized the powers of federal intervention and the protections still afforded by civil rights laws, were successful in

creating new avenues for reform and in democratizing the education of English language learners (Beck & Allexsaht-Snider, 2002).

In light of current neoliberal policy restraints, where only a small number of English language learners are receiving the educational preparation they require to academically succeed, we are, nonetheless, left once again with a daunting task as political allies, educators, parents, and members of language minority communities—namely to transform the inequalities that inform restrictive language policies in U.S. public schools. This discussion truly reminds us, as Edward Said and other postcolonial theorists have so rightly insisted, *democracy is never guaranteed*. It is a contested political field of social relations, which requires us to return, time and time again, to the struggle for social justice and self-determination. It signifies *a revolution in the living*, rather than an objective and absolute utopia to which we will someday arrive.

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